

REMARKS

Claims 1 and 3-10 are all the claims pending in the application. With this Amendment, Applicant cancels claims 1 and 3-6, and adds new claim 11. After entry of this Amendment, claims 7-11 will be pending in the application.

Claim Rejections

Claims 1 and 4 have been rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Pat. Pub. No. 2002/0053720 to Boursat *et al.* ("Boursat"), and claim 3 has been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Boursat. Applicant has canceled claims 1, 3 and 4 without prejudice or disclaimer thereby rendering these rejections moot.

Allowable Subject Matter

Applicant thanks the Examiner for the indication that claims 7-10 contain allowable subject matter and would be patentable if rewritten in independent form including the limitations of the base claim and any intervening claims. Applicant has rewritten claim 7 as suggested by the Examiner, therefore, claim 7 is patentable over the prior art. Claims 8-10, which depend from claim 7, should be allowable by virtue of their dependency.

New Claims

Canceled claim 4 has been rewritten as new claim 11 depending from claim 7. Applicant respectfully submits that this claim should be entered since new matter has been added and no new search or consideration is required. Claim 11 is patentable by virtue of its dependency on claim 7.

Amendment Under 37 C.F.R. § 1.116
U.S. Appln. No. 10/758,286

Atty. Docket No. Q79436

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Francis G. Plati, Sr.', written over a horizontal line.

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